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(323) 655-0961

Attorneys for Lien Claimants, Jeffrey Eves and Rhonda Eves

**UNITED STATES BANKRUPTCY COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK**

In Re	}	CASE NO.: 1:08-bk-13555
LEHMAN BROTHERS HOLDINGS, INC.		NOTICE OF ENFORCEMENT OF LIEN FILED AGAINST CREDITOR ROBERT J. EVES
Debtor.		

TO THE TRUSTEE AND ALL INTERESTED PARTIES:

PLEASE TAKE NOTICE that a lien against ROBERT J. EVES is created by this notice under Article 4 (commencing with section 491.410) of Chapter 11 of Title 6.5 of Part 2 of the California Code of Civil Procedure.

The lien is based on a right to attach order and an order permitting the creation of a lien, a true and correct copy of which is attached hereto as Exhibit "A" and made a part hereof.

The right to attach order is entered in the following action pending in the Superior Court of California, County of Marin: *Jeffrey P. Eves and Rhonda Eves v. Robert J. Eves*, Case No.: CIV1002621.

The names and address of the persons who obtained the right to attach order are:
Jeffrey P. Eves and Rhonda Eves, c/o Philip Kaufler, Law Offices of Philip Kaufler, 8383

1 Wilshire Boulevard, Suite 830, Beverly Hills, CA 90211.

2 The name and last known address of the person whose property is subject to the
3 right to attach order are: Robert J. Eves, 1 Via Vandyke, Mill Valley, CA 94941.

4 Robert J. Eves is the founder and president of Venture Corporation, a California-
5 based real estate development corporation, who owns or controls, directly or indirectly,
6 VCC Affiliates, which holds equity in twenty-one joint venture companies formed in 2005
7 with certain non-debtor affiliates of Lehman Brothers Holdings Inc. A settlement with
8 VCC Affiliates was previously approved by the bankruptcy court.

9 The amount required to secure the amount to be secured by the attachment at the
10 time this notice of lien is filed is \$863,645.94.

11 The lien created by this notice attaches to any cause of action or claim of Robert J.
12 Eves that is the subject of this action or proceeding and to that person's rights to money or
13 property under any judgment or distribution subsequently procured in this action or
14 proceeding.

15 No compromise, dismissal, settlement, or satisfaction of this action or proceeding
16 or any of the rights of Robert J. Eves to money or property under any judgment or
17 distribution procured in this action or proceeding may be entered into by or on behalf of
18 Robert J. Eves, and Robert J. Eves may not enforce any rights to money or property under
19 any judgment or distribution procured in this action or proceeding by a writ or otherwise,
20 unless one of the following requirements is satisfied:

21 a. the prior approval by order of the court in this action or proceeding has been
22 obtained;

23 b. the written consent of Jeffrey P. Eves and Rhonda Eves has been obtained or they
24 have released the lien; or

25 c. the money judgment of Jeffrey P. Eves and Rhonda Eves has been satisfied.

26 Robert J. Eves may claim an exemption for all or any portion of the money or
27 property within 30 days after receiving notice of the creation of the lien. The exemption
28 is waived if it is not claimed in time.

1 Dated: May 15, 2013

LAW OFFICES OF PHILIP KAUFLE

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By: _____

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PHILIP KAUFLE
Attorney for Lien Claimants
JEFFREY P. EVES and RHONDA
EVES

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EXHIBIT "A"

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address): Philip Kaufler, SB# 81160 Law Offices of Philip Kaufler, APC 8383 Wilshire Blvd., Suite 830 Beverly Hills, CA 90211		FOR COURT USE ONLY FILED FEB 10 2011 KIM TURNER, Court Executive Officer MARIN COUNTY SUPERIOR COURT By: J. Dale, Deputy
TELEPHONE NO.: (323) 655-0961	FAX NO. (Optional): (323) 655-0582	
E-MAIL ADDRESS (Optional): ATTORNEY FOR (Name): Plaintiffs		
SUPERIOR COURT OF CALIFORNIA, COUNTY OF Marin STREET ADDRESS: 3501 Civic Center Drive MAILING ADDRESS: CITY AND ZIP CODE: San Rafael, CA 94903 BRANCH NAME:		
PLAINTIFF: Jeffrey P. Eves and Rhonda Eves formerly Rhonda Frank DEFENDANT: Robert J. Eves		
<input checked="" type="checkbox"/> RIGHT TO ATTACH ORDER AND ORDER FOR ISSUANCE OF WRIT OF ATTACHMENT AFTER HEARING <input type="checkbox"/> ORDER FOR ISSUANCE OF ADDITIONAL WRIT OF ATTACHMENT AFTER HEARING		CASE NUMBER: CIV1002621

1. a. The application of plaintiff (name): Jeffrey P. Eves and Rhonda Eves formerly Rhonda Frank for ☒ a right to attach order and order for issuance of writ of attachment ☐ an order for issuance of additional writ of attachment against the property of defendant (name): Robert J. Eves came on for hearing as follows:

(1) Judge (name): Lynn O'Malley Taylor

(2) Hearing date: January 12, 2011 Time: 8:30 a.m. ☒ Dept.: B ☐ Div.: ☐ Rm.:

- b. The following persons were present at the hearing:

(1) ☒ Plaintiff (name): Jeffrey P. Eves and Rhonda Eves formerly Rhonda Frank

(3) ☒ Plaintiff's attorney (name): Philip Kaufler

(2) ☒ Defendant (name): Robert J. Eves

(4) ☒ Defendant's attorney (name): Justin Schnitzler/Steven Holland

2. THE COURT FINDS

FINDINGS

- a. Defendant (specify name): Robert J. Eves is a ☒ natural person ☐ partnership ☐ unincorporated association ☐ corporation ☐ other (specify):
- b. The claim upon which the application is based is one upon which an attachment may be issued.
- c. Plaintiff has established the probable validity of the claim upon which the attachment is based.
- d. The attachment is not sought for a purpose other than the recovery on the claim upon which the attachment is based.
- e. The amount to be secured by the attachment is greater than zero.
- f. ☒ Defendant failed to prove that all the property described in plaintiff's application is exempt from attachment.
- g. ☐ The following property of defendant, described in plaintiff's application
- (1) ☐ is exempt from attachment (specify):
- (2) ☐ is not exempt from attachment (specify):
- h. ☐ The following property, not described in plaintiff's application, claimed by defendant to be exempt,
- (1) ☐ is exempt from attachment (specify):
- (2) ☐ is not exempt from attachment (specify):
- i. ☒ An undertaking in the amount of: \$ 10,000.00 is required before a writ shall issue, and plaintiff ☒ has ☐ has not filed an undertaking in that amount. Undertaking filed concurrently herewith pursuant to
- j. A Right to Attach Order was issued on (date):
- ☐ Code of Civil Procedure section 484.090 (on hearing) ☐ Code of Civil Procedure section 485.220 (ex parte)
- k. ☐ other (specify):

SHORT TITLE: Eves v. Eves, et al.

CASE NUMBER:
CIV1002621

ORDER

3. THE COURT ORDERS

a. Plaintiff has a right to attach property of defendant (name): Robert J. Eves

in the amount of: \$863,645.94

b. ☐ The property described in items 2g(1) and 2h(1) of the findings is exempt and shall not be attached.

c. The clerk shall issue ☒ a writ of attachment ☐ an additional writ of attachment in the amount stated in item 3a
☒ forthwith ☐ upon the filing of an undertaking in the amount of: \$

(1) ☐ for any property of a defendant who is not a natural person for which a method of levy is provided.

(2) ☒ for the property of a defendant who is a natural person that is subject to attachment under Code of Civil

Procedure section 487.010 described as follows (specify): 1) Interests in real property, including Assessor's Parcel Nos. 029-272-20, 029-272-23, and 029-272-36, more commonly known as 1 Via Vandyke, Mill Valley, CA; 2) accounts receivable, chattel paper, and general intangibles arising out of the conduct by the defendant of a trade, business, or profession, except any such individual claim with a principal balance of less than \$150; 3) equipment; 4) farm products; 5) inventory; 6) final money judgments arising out of the conduct by the defendant of a trade, business, or profession; 7) Money on the premises where a trade, business, or profession is conducted by the defendant and, except for the first \$1,000, money located elsewhere than on such premises and deposit accounts; 8) negotiable documents of title; 9) instruments; 10) securities; or 11) minerals or the like (including oil and gas) to be extracted.

(3) ☐ for the property covered by a bulk sales notice with respect to a bulk transfer by defendant or the proceeds of sale of such property, described as follows (specify):

(4) ☐ for plaintiff's pro rata share of proceeds from an escrow in which defendant's liquor license is sold. The license number is (specify):

d. ☒ Defendant shall transfer to the levying officer possession of

(1) ☒ any documentary evidence in defendant's possession of title to any property described in item 3c;

(2) ☒ any documentary evidence in defendant's possession of debt owed to defendant described in item 3c;

(3) ☐ the following property in defendant's possession (specify):

NOTICE TO DEFENDANT: FAILURE TO COMPLY WITH THIS ORDER MAY SUBJECT YOU TO ARREST
AND PUNISHMENT FOR CONTEMPT OF COURT.

e. ☐ Other (specify):

f. Total number of boxes checked in item 3: 6

Date: FEB 10 2011

LYNN DURYEE

JUDICIAL OFFICER